13281 U.S. PTO 032304

PTO/SB/05 (01-04)
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# UTILITY PATENT APPLICATION TRANSMITTAL

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

| | |
|---|---|
| *Attorney Docket No.* | 0652.2620001/EKS/VSR |
| *First Inventor* | URTHALER et al. |
| *Title* | See 1 in Addendum |
| *Express Mail Label No.* | |

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## APPLICATION ELEMENTS

*See MPEP chapter 600 concerning utility patent application contents.*

*ADDRESS TO:* **Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450**

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17) *(Submit an original and a duplicate for fee processing)*
2. ☐ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification [*Total Pages* 52 ]
   *(preferred arrangement set forth below)*
   - Descriptive title of the invention
   - Cross Reference to Related Applications
   - Statement Regarding Fed sponsored R & D
   - Reference to sequence listing, a table, or a computer program listing appendix
   - Background of the Invention
   - Brief Summary of the Invention
   - Brief Description of the Drawings *(if filed)*
   - Detailed Description
   - Claim(s)
   - Abstract of the Disclosure
4. ☒ Drawing(s) (*35 U.S.C. 113*) [*Total Sheets* 15 ]
5. Oath or Declaration [*Total Sheets* _____ ]
   a. ☐ Newly executed (original or copy)
   b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional with Box 18 completed)*
      i. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76
7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program *(Appendix)*
8. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
   a. ☐ Computer Readable Form (CRF)
   b. Specification Sequence Listing on:
      i. ☐ CD-ROM or CD-R (2 copies); or
      ii. ☐ Paper
   c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement *(when there is an assignee)* ☐ Power of Attorney
11. ☐ English Translation Document *(if applicable)*
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. ☒ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Authorization under 37CFR 1.136(a)(3)
    The name of the assignee is: Boehringer Ingelheim Austria GmbH

18. If a CONTINUING APPLICATION, *check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:*

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: .....

*Prior application information:* *Examiner* To Be Assigned *Art Unit:* To Be Assigned

**For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number: **26111** *OR* ☐ Correspondence address below

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| | | | |
|---|---|---|---|
| *Name (Print/Type)* | Eric K. Steffe | *Registration No. (Attorney/Agent)* | 36,688 |
| *Signature* | | *Date* | 3/25/04 |

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

# Addendum

1. Methods And Devices For Producing Biomolecules

JC76
MAR 23 2004
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|---|
| In re application of: | Confirmation No.: *To Be Assigned* |
| URTHALER *et al.* | Art Unit: *To Be Assigned* |
| Appl. No.: *To Be Assigned* | Examiner: *To Be Assigned* |
| Filed: March 23, 2004 | Atty. Docket: 0652.2620001/EKS/VSR |
| For: **Methods And Devices For Producing Biomolecules** | |

## Authorization to Treat a Reply as Incorporating an Extension of Time Under 37 C.F.R. § 1.136(a)(3)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Eric K. Steffe
Attorney for Applicants
Registration No. 36,688

Date: March 23, 2004

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*Admitted only in Maryland
+Admitted only in Virginia
•Practice Limited to Federal Agencies

13281 U.S. PTO
032304

March 23, 2004

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Commissioner for Patents
PO Box 1450
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***Mail Stop Patent Application***

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)
Appl. No. *To Be Assigned* ; Filed: March 23, 2004
For: **Methods And Devices For Producing Biomolecules**
Inventors: URTHALER *et al.*
Our Ref: 0652.2620001/EKS/VSR

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. USPTO Utility Patent Application Transmittal Form PTO/SB/05;

2. 37 C.F.R. § 1.136(a)(3) Authorization to Treat a Reply As Incorporating An Extension of Time;

3. U.S. Utility Patent Application entitled:

   Methods And Devices For Producing Biomolecules

   and naming as inventors:

   Jochen URTHALER, Roman NECINA, Christine ASCHER and Helga WOEHRER

   the application comprising:

   a. an Application Data Sheet (37 C.F.R. § 1.76);

   b. specification containing:

      i. 45 pages of description prior to the claims;

ii. 6 pages of claims (39 claims);

iii. a one (1) page abstract;

c. 15 sheets of drawings: (Figures 1-15).

4. Submission of Certified Copy of 35 U.S.C. § 119(a)-(d) Priority Document in Utility Application;

5. Certified copy of EP 03006568.4; and

6. Two (2) return postcards.

The name of the assignee is Boehringer Ingelheim Austria GmbH.

Correspondence should be sent to Customer Number 26111.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

This patent application is being submitted under 37 C.F.R. § 1.53(b) without Declaration and without filing fee.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Eric K. Steffe
Attorney for Applicants
Registration No. 36,688

EKS/VSR: amr
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